

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACOB PUTNAM and
ALYSSA KERR,

Defendants.

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8:09CR97

ORDER

This matter is before the court on the motion for an extension of time by defendant Alyssa Kerr (Kerr) (Filing No. 24). Kerr seeks an extension of twenty-one days in which to file pretrial motions in accordance with the progression order (Filing No. 12). Kerr's counsel represents that government's counsel has no objection to the motion. Kerr's counsel represents that Kerr will file an affidavit wherein she consents to the motion and acknowledges she understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted as to all defendants.

IT IS ORDERED:

Defendant Kerr's motion for an extension of time (Filing No. 24) is granted. All defendants are given until **on or before May 28, 2009**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 7, 2009 and May 28, 2009**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 7th day of May, 2009.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge